

Remarks

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Claims 1-15 remain in the application. Claims 16 and 17 have been newly added.

The Abstract of the Disclosure has been amended to eliminate reference numbers and to comply with MPEP 608.01(b).

Claims 7 and 11 have been amended to eliminate features claimed as "preferable."

Claim 14 has been amended to more clearly recite that the optical circuit comprises components that provide substantially no vibration.

Claim 15 has been amended to eliminate its multiple dependency.

As such, claims 7, 11, 14, and 15 have been clarified by amendment for purposes of form. It is respectfully submitted that the amendments to claims 7, 11, 14, and 15 are neither narrowing nor made for substantial reasons related to patentability as defined by the Court of Appeals for the Federal Circuit (CAFC) in Festo Corporation v. Shoketsu Kinzoku Kogyo Kabushiki Co., Ltd., 95-1066 (Fed. Cir. 2000). Therefore, the amendments to claims 7, 11, 14, and 15 do not create prosecution history estoppel and, as such, the doctrine of equivalents is available for all of the elements of claims 7, 11, 14, and 15. Accordingly, it is respectfully submitted that claims 7, 11, 14, and 15, as amended, are allowable.

Claims 16 and 17 have been newly added to recite features previously claimed as preferable in claims 7 and 11, respectively.

Consideration and allowance of application is respectfully requested.

Attached hereto is a marked up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "Version With Markings to Show Changes Made."

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Respectfully submitted,

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Date

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In The Abstract

Please amend the abstract as follows:

A measuring setup [(100, 10, 140)] for measuring an optical device under test – DUT- [(120) comprises] includes an optical signal source [(100)] for applying an optical signal to the DUT [(120)], and an optical receiver unit [(140)] for measuring a response of the DUT [(120)] on the applied signal. A measurement unit [(10)] is coupled between the optical signal source [(100)] and the optical receiver unit [(140)]. The measurement unit [(10)] comprises an optical circuit [(20)] to provide optical signals from and/or to the DUT [(120)] for measuring the DUT [(120)], whereby the optical circuit [(20)] comprises optical components [(130)] showing high susceptibility to mechanical noise. A shielding unit [(30, 40)] receives the optical circuit [(20)] and provides at least partial shielding of the optical circuit [(20)] and/or the DUT [(120)] against mechanical noise.

[[Fig. 1 for publication]]

In The Claims

Please amend the claims as follows:

7. (Amended) The measurement unit of claim 6, wherein a vibration damping or shielding device[, preferably a rubber sheet,] is provided between the optical circuit and the shielding unit.

11. (Amended) The measurement unit of claim 9 [or 10], wherein the receiving device is provided outside the shielding unit[, preferably on top thereof].

14. (Amended) The measurement unit of claim 1, wherein the optical circuit comprises [only such optical, electrical or mechanical] components [substantially providing] that provide substantially no [own] vibration at least during measuring times.

15. (Amended) A measuring setup for measuring an optical device under test – DUT-, comprising:

an optical signal source adapted for applying an optical signal to the DUT, and

an optical receiver unit adapted for measuring a response of the DUT on the applied signal, and

a measurement unit [according to any one of the above claims, being] coupled between the optical signal source and the optical receiver unit, said measurement device having:

an optical circuit with one or more optical components showing high susceptibility to mechanical noise, wherein the optical circuit is adapted to provide optical signals from and/or to the DUT for measuring the DUT, and

a shielding unit adapted for receiving the optical circuit and for providing at least a partial shielding of the optical circuit against mechanical noise.

Please add the following new claims:

16. (Newly added) The measurement unit of claim 7, wherein said vibration damping or shielding device is a rubber sheet.

17. (Newly added) The measurement unit of claim 9, wherein said receiving device is provided on top of said shielding unit.